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October 31, 2001

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Pennsylvania Public Utility Commission
Bureau of Transportation & Safety
PO Box 3265
Harrisburg, PA 17105-3265

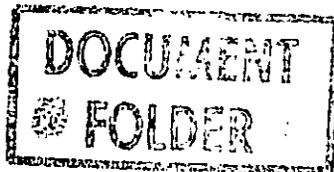
Re: Application for Motor Common Carrier of Property
Maudie Excavating & Hauling, Inc.

Dear Sir or Madam:

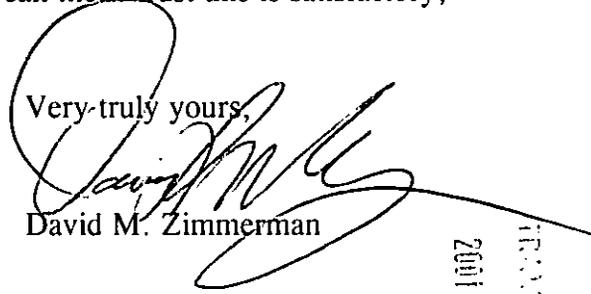
Enclosed are an original and one copy of an Application for Motor Common Carrier of Property that I am hereby submitting on behalf of my client, Maudie Excavating & Hauling, Inc. Also enclosed is a check for \$100.00 made payable to "Commonwealth of Pennsylvania" for the filing fee.

Kindly file and process the application at your earliest opportunity. In doing so, please note that the application is being filed in follow-up to a prior application that was filed at Docket Number A-00118181. The prior application was dismissed because proof of insurance was not timely filed.

If you need additional information, please call me. I trust this is satisfactory, and am



Very truly yours,


David M. Zimmerman

enclosures
cc(w/encl): Maudie Excavating & Hauling, Inc.

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RECEIVED
BUREAU OF TRANSPORTATION & SAFETY
2001 NOV -2 AM 9:44

**Pennsylvania Public Utility Commission
Bureau of Transportation & Safety
PO Box 3265
Harrisburg, PA 17105-3265
(717) 787-3834 or FAX (717) 787-5961**

RECEIVED
BUREAU OF
TRANSPORTATION & SAFETY
2001 NOV -2 AM 9:44

Application for Motor Common Carrier of Property

Please complete all parts of the following application. Incomplete applications will be returned. All questions may be directed to the Bureau of Transportation & Safety at (717) 787-3834.

1. Maudie Excavating & Hauling, Inc.
Full Name of Applicant (Individual, Partnership or Corporation)

2. N/A
Trade Name if Any

The trade name, if fictitious, N/A been registered with the
(Has or has not)

Secretary of the Commonwealth on N/A. Attach a date
(Date)
stamped copy of the registration form. *Ind.*

3. 9031 Route 286 West, Homer City, PA, 15748 724-479-0870
Physical Address (Street, City, County and Zip Code) Telephone Number (Required)

4. N/A
Mailing Address if Different from Physical Address

Atty

5. David M. Zimmerman, Bonya Gazza & DeGory, LLP; 724-465-5535
Attorney's Name & Telephone Number for this Filing
(Do not supply Attorney's name if you want all correspondence & notice of process mailed directly to you.)

134 South 6th Street, Indiana, PA 15701-2736
Attorney's Address

6. Applicant does not hold interstate operating authority at docket
(Does or does not)
number N/A.

7. Applicant does not have a current safety rating issued by the US
DOT, PA PUC or other state regulatory agency. (Attach Copy)

DOCUMENT
FOLDER

DOCKETED

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A-118181 F.2

8. Approximate number of commercial vehicles to be operated in Pennsylvania:
Owned 0 to 5 *Leased* 3 or less.

9. Check **one** that applies to this application:

Individual

Partnership (Attach a copy of a Partnership Agreement and list the names and addresses of ALL partners below.)

(Attach a separate sheet if space provided in not sufficient.)

Corporation Organized under the laws of the state of Pennsylvania
qualified to do business in Pennsylvania by registering with the Secretary
of the Commonwealth on June 27, 2001.
(Date)

Attach a date-stamped copy of the Application for Certificate of Incorporation *or*
Certificate of Authority. Include a list of corporate officers with titles, names of
shareholders and number of shares held, and addresses.

10. Attachment Checklist:

For Corporations Only:

Date-stamped copy of Application for Certificate of Incorporation or
Certificate of Authority.

List of corporate officers/titles and distribution of shares.

For Partnerships Only:

Copy of Partnership Agreement.

For ALL Applicants:

Fictitious Trade Name Registration (if applicable).

Copy of Current Safety Rating (if available).

Proof of Insurance (See item 5 on instruction sheet).

Certified check, money order or attorney's check.

11. Certification:

Applicant certifies that it is not now engaged in any intrastate transportation of property for compensation between points in Pennsylvania and will not engage in said transportation unless and until authorization is received from the Pennsylvania Public Utility Commission.

Applicant further certifies that it understands the requirements of the Pennsylvania Public Utility Commission, especially as they relate to safety and insurance and that it may be subject to civil penalties, suspension or cancellation of the Certificate for failure to comply with Commission requirements.

Applicant further certifies that it understands that it is subject to an annual assessment based upon its reported gross Pennsylvania intrastate revenues; said assessment to help defray expenses incurred in regulating Motor Common Carriers of Property; and acknowledges that failure to report revenue and pay its annual assessment may result in civil penalties, suspension or cancellation of the Certificate.

You must sign the following application.

Verification of Application

I/we hereby state that the statements made in this application is/are true and correct to the best of my/our knowledge and belief.

The undersigned understands that false statements herein are made subject to the penalties of 18 Pa. C.S. Section 4904 Relating to Unsworn Falsification to Authorities.

FRANK MAUDIC
(Print Name)
Frank Maudic 10-31-01
(Signature) (Date)

The verification of the application must be completed by the applicant appearing on Line 1 of the application by the named individual, all partners (if a partnership) or by the President or Secretary (if a corporation).

List of Corporate Officers/Titles & Distribution of Shares for
Maudie Excavating & Hauling, Inc.

Corporate Officers:

President, Secretary & Treasurer: Frank A. Maudie
310 Route 217 North
Homer City, PA 15748

Shareholders:

Sole shareholder: Frank A. Maudie (1,000 shares)
310 Route 217 North
Homer City, PA 15748

200150489
3012632

FILE COPY

Entity Number

Kim Pizzinelli
Secretary of the Commonwealth

ARTICLES OF INCORPORATION-FOR PROFIT
OF

Maudie Excavating & Hauling, Inc.
Name of Corporation

A TYPE OF CORPORATION INDICATED BELOW

Indicate type of domestic corporation:

- Business-stock (15 Pa.C.S. § 1306)
- Business-nonstock (15 Pa.C.S. § 2102)
- Business-statutory close (15 Pa.C.S. § 2303)
- Cooperative (15 Pa.C.S. § 7102)
- Management (15 Pa.C.S. § 2702)
- Professional (15 Pa.C.S. § 2903)
- Insurance (15 Pa.C.S. § 3101)

DSCB:15-1306/2102/2303/2702/2903/3101/7102A (Rev 91)

In compliance with the requirements of the applicable provisions of 15 Pa.C.S. (relating to corporations and unincorporated associations) the undersigned, desiring to incorporate a corporation for profit hereby, state(s) that:

1. The name of the corporation is: Maudie Excavating & Hauling, Inc.

2. The (a) address of this corporation's initial registered office in this Commonwealth or (b) name of its commercial registered office provider and the county of venue is:

| | | | | |
|--------------------------------|-------------------|-----------|--------------|----------------|
| (a) <u>9031 Route 286 West</u> | <u>Homer City</u> | <u>PA</u> | <u>15748</u> | <u>Indiana</u> |
| Number and Street | City | State | Zip | County |

(b) c/o: _____
 Name of Commercial Registered Office Provider County

For a corporation represented by a commercial registered office provider, the county in (b) shall be deemed the county in which the corporation is located for venue and official publication purposes.

3. The corporation is incorporated under the provisions of the Business Corporation Law of 1988.

4. The aggregate number of shares authorized is: 1,000 (other provisions, if any, attach 8 1/2 x 11 sheet)

5. The name and address, including number and street, if any, of each incorporator is:

| | |
|------------------------|---|
| Name | Address |
| <u>Frank A. Maudie</u> | <u>310 Route 217 North Homer City, PA 15748</u> |

PA DEPT. OF STATE

JUN 27 2001

2001-490

6. The specified effective date, if any, is: _____
month day year hour, if any

7. Additional provisions of the articles, if any, attach an 8 1/2 x 11 sheet.

8. **Statutory close corporation only:** Neither the corporation nor any shareholder shall make an offering of any of its shares of any class that would constitute a "public offering" within the meaning of the Securities Act of 1933 (15 U.S.C. § 77a et seq.).

9. **Cooperative corporations only:** (Complete and strike out inapplicable term) The common bond of membership among its members/shareholders is: _____

IN TESTIMONY WHEREOF, the incorporator(s) has (have) signed these Articles of Incorporation this _____ day of 6-25, 2001.

Frank A. Maudie
(Signature)

Frank A. Maudie

(Signature)

PENNSYLVANIA PUBLIC UTILITY COMMISSION

RECEIPT

The addressee named here has paid the PA P.U.C. for the following bill:

DAVID M ZIMMERMAN
ATTORNEY AT LAW
104 SOUTH SIXTH STREET
INDIANA, PA 15701

DATE 11/15/01
RECEIPT # 199151

REP

IN RE: Application fees for MAUDIE EXCAVATING & HAULING, INC

Docket Number A-00118181F0002..... \$100.00

REVENUE ACCOUNT: 001780-017601-102

CHECK NUMBER: 41247
CHECK AMOUNT: \$100.00

RECEIVED
2001 NOV 15 AM 11:25
PA PUBLIC UTILITY COMMISSION
SECRETARY'S BUREAU
C. Joseph Meisner
(for Department of Revenue)

DOCUMENT
FOLDER

DOCKETED
NOV 16 2001